

## **Deficiency Progress Report – Update 3**

Report Submitted: October 1, 2008

**CUPA Name: Gilroy City Fire Department**

**Evaluation Date: October 24, 2007**

**State Evaluator:**

***Cal/EPA Team Leader: Kareem Taylor***

**Corrected Deficiencies: [1](#), [2](#), [3](#), [4](#), [5](#), [6](#)**

**Next Progress Report (Update 3) Due: [September 16, 2008](#)**

### **Deficiencies and Corrective Actions**

1. **Deficiency:** The CUPA has not submitted its Annual Summary Reports to Cal/EPA by September 30 of each year.

**Preliminary Corrective Actions:** By September 30, 2008, the CUPA will submit its FY 07/08 Annual Summary Reports to Cal/EPA.

**CUPA's 1<sup>st</sup> Update (2-29-08):** The City's IT department has obtained two new software modules to allow tracking of facility inspections and enforcement. Program staff underwent training November 5-9<sup>th</sup> 2007. It was found that the new software cannot be implemented until additional actions (data transfer) occur to assist in creating accounts. The software vendor was given a request for quote on November 26<sup>th</sup> submitted a proposal for providing the data transfer. On February 15<sup>th</sup> the vendor provided a quote. The quote is within program budget and will be accepted for the vendor to proceed. In the meantime the Business License module is being used to track program activities. It is anticipated that the data transfer will be completed by end of April.

By the end of the reporting year it is expected that all data required for reports 2, 3 and 4 of the Summary reports will be able to be generated in a timely manner and submitted.

Each of the four program inspectors have been assigned for running reports on the inspection and enforcement activities in their districts. These will be forwarded to the Office Assistant to be consolidated and submitted to by the September 30<sup>th</sup> deadline. This reporting process will be tested and implemented with the next City-wide quarterly report that will be generated on April 10, 2008.

The program has identified the BLES Office Assistant as the person responsible for running these two programs on a quarterly basis. BLES Permit Techs are assigned as back up. *See attached information*

**Cal/EPA's 1<sup>st</sup> Response:** On the next status report, submit an update on the progress of the data transfer.

The CUPA will complete and submit its FY 07/08 Annual Summary Reports to Cal/EPA by September 30, 2008.

**CUPA's 2<sup>nd</sup> Update (6-16-08):** Using the interim data base we will be able to submit annual report on time. The final database project is still not completed due to software vendor problems. The interim database seems to be able to track inspection activity, but not provide automated processes for inspectors use.

**Cal/EPA's 2<sup>nd</sup> Response:** On the next progress report, submit an update on the progress of the data transfer.

The CUPA will complete and submit its FY 07/08 Annual Summary Reports to Cal/EPA by September 30, 2008.

**CUPA's 3<sup>rd</sup> Update (10-1-08):** First test run of data transfer completed Sept 3, 2008, final data run October 1, 2008. Annual report sent on August 29, 2008.

**Cal/EPA's 3<sup>rd</sup> Response:** Due to the CUPA's corrective actions, this deficiency is considered corrected.

2. **Deficiency:** The CUPA has not completed a narrative self audit by September 30 of each year.

**Preliminary Corrective Actions:** By September 30, 2008, the CUPA will submit its FY 07/08 self audit to Cal/EPA.

**CUPA's 1<sup>st</sup> Update (2-29-08):** None

**Cal/EPA's 1<sup>st</sup> Response:** The CUPA will complete and submit its FY 07/08 self audit to Cal/EPA by September 30, 2008.

**CUPA's 2<sup>nd</sup> Update (6-16-08):** Self audit will begin August 1<sup>st</sup> to be completed and submitted by September 30<sup>th</sup>.

**Cal/EPA's 2<sup>nd</sup> Response:** The CUPA will complete and submit its FY 07/08 self audit to Cal/EPA by September 30, 2008.

**CUPA's 3<sup>rd</sup> Update (10-1-08):** Narrative Self Audit Completed. See attached.

**Cal/EPA's 3<sup>rd</sup> Response:** Due to the CUPA's corrective actions, this deficiency is considered corrected.

3. **Deficiency:** The CUPA has not remitted the FY 06/07 Unified Program (UP) surcharges to the state on a quarterly basis.

**Preliminary Corrective Actions:** Immediately, submit all FY 06/07 surcharge to the state.

By January 24, 2008, the CUPA should submit the surcharge collected for the 1<sup>st</sup> quarter of FY 07/08 to the state.

Along with the next status report, include a copy of the surcharge transmittal report (Report 1) for the 1<sup>st</sup> quarter of FY 07/08.

**CUPA's 1<sup>st</sup> Update (2-29-08):** Surcharges collected through the quarter ending on December 31, 2007 have been have been sent to the State. *See attached information.*

The January 2008-March 2008 quarterly surcharge report will generated by the office assistant. By going to quarterly invoicing the Program is anticipating that surcharge tracking and reporting will be able to meet the State Criteria for assigning the quarter billed for surcharges collected to be recorded and sent to the State.

The IT staff finalized created two reports on February 18, 2008 that provide for invoicing and certificate issuance. These have been redesigned to run on a quarterly basis. A report was generated from the prior program and found that several facilities had not been invoiced due to program errors. This is likely the source of inconsistency between number of facilities reported in the program and surcharges actually collected. Program staff have reviewed the list and made corrections. The facilities with outstanding fees due will be invoiced with the first quarter 2008 invoicing.

**Cal/EPA's 1<sup>st</sup> Response:** Due to the CUPA's corrective actions, this deficiency is considered corrected.

4. **Deficiency:** The CUPA does not review its Inspection and Enforcement plan annually.

**Preliminary Corrective Actions:** None.

**Cal/EPA's 1<sup>st</sup> Response:** This deficiency was corrected onsite.

5. **Deficiency:** The CUPA did not correctly report the amount of surcharge owed to the state on its Annual Single Fee Summary Reports (Report 2) for FYs 04/05 through 06/07.

**Preliminary Corrective Actions:** None

**Cal/EPA's 1<sup>st</sup> Response:** This deficiency was corrected onsite.

6. **Deficiency:** The CUPA is not conducting inspections with a frequency that is consistent its Inspection and Enforcement Plan. Specifically, the CUPA is not meeting its scheduled annual inspection frequency for its business plan and hazardous waste generator (HWG) programs.

**Preliminary Corrective Actions:** By July 1, 2008, inspect all business plan and HWG facility annually.

On the next status report, explain how the CUPA will adapt to the staffing shortfall.

**CUPA's 1<sup>st</sup> Update (2-29-08):** The program is back to full staffing (4 inspectors providing 1.2 FTE solely to the CUPA programs. Until the new software is fully implemented the inspectors are using the fee invoicing due date to track and assign inspections. Inspectors are currently using the invoicing/Business License system to maintain their inspections current. It is anticipated that the full implementation of the new software will be completed by July 1, 2008. A review of the inspections indicated that all facilities have been inspected within the State mandated 3 year cycle with UST sites inspected annually.

**Cal/EPA's 1<sup>st</sup> Response:** On the next status report, include the total number of routine inspections performed for the HMBP and HWG programs in FY 07/08.

**CUPA's 2<sup>nd</sup> Update (6-16-08):** From July 1, 2007 to June 16, 2008 there have been 31 UST site inspections, 158 HMBP and 110 generator inspections.

**Cal/EPA's 2<sup>nd</sup> Response:** In a correspondence, the CUPA management stated that due to special projects, the CUPA would be changing its scheduled inspection frequencies. While Cal/EPA does not recommend this, changing the CUPA's inspection frequencies is a viable option. The UP inspection frequencies must be at least as stringent as state mandate.

On the next progress, include the CUPA's updated Inspection and Enforcement plan that contains its revised schedule of inspection frequencies for all program elements.

**CUPA's 3<sup>rd</sup> Update (10-1-08):** See attached revised Inspection Frequency Plan. Gilroy's goal is to maintain annual inspections with no facility inspected less than the State mandate.

**Cal/EPA's 3<sup>rd</sup> Response:** Due to the CUPA's corrective actions, this deficiency is considered corrected.